

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. 4:05CR0432 HEA
	)	
CHAD HUTCHINSON,	)	
	)	
Defendant.	)	

**OPINION, MEMORANDUM AND ORDER**

This matter is before the Court on Defendant's Motion to Suppress Evidence and Statements, [#19]. The Court referred this matter to United States Magistrate Judge David D. Noce for a report and recommendation pursuant to 28 U.S.C. § 636(b). An evidentiary hearing was held on November 29, 2005 before Judge Noce, and Defendant appeared in open court with counsel and advised Judge Noce that he had decided not to raise any issues by way of pretrial motions. Defendant thereupon waived his rights to file pretrial motions and to have a pretrial hearing. That same day, Judge Noce filed his recommendation that Defendant's motion be denied as moot. No objections to the report and recommendation have been filed.

After careful consideration, the Court will adopt and sustain the sound reasoning of Judge Noce as set forth in his November 29, 2005 Report and Recommendation.

Accordingly,

**IT IS HEREBY ORDERED** that Defendant's Motion to Suppress Evidence and Statements, [#19], is denied.

Dated this 16<sup>th</sup> day of December, 2005.

A handwritten signature in cursive script, appearing to read "Henry Edward Autrey", written in dark ink.

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HENRY EDWARD AUTREY  
UNITED STATES DISTRICT JUDGE